

ANNEX I

TRANSPORT BY ROAD

[^{F1}I.3.National derogations

Based on Article 6(2)(a) of Directive 2008/68/EC

IE Ireland

RO-bi-IE-3

Subject: Exemption to allow the loading and unloading of dangerous goods, to which the special provision CV1 in 7.5.11 or S1 in 8.5 is assigned, in a public place without special permission from the competent authorities.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.5 and 8.5.

Content of the Annex to the Directive: Additional provisions concerning loading, unloading and handling.

Content of the national legislation: Loading and unloading of dangerous goods in a public place is permitted without special permission from the competent authority, in derogation from the requirements of 7.5.11 or 8.5.

Initial reference to the national legislation: *Regulation 82(5) of the 'Carriage of Dangerous Goods by Road Regulations, 2004'*.

Comments: For national transport within the state, this provision places a very onerous burden on the competent authorities.

Expiry date: 30 June 2021

RO-bi-IE-6

Subject: Exemption from requirement in 4.3.4.2.2, which requires flexible filling and discharge pipes that are not permanently connected to the shell of a tank-vehicle to be empty during transport.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.3.

Content of the Annex to the Directive: Use of tank-vehicles.

Content of the national legislation: Flexible hose reels (including fixed pipelines associated with them) attached to tank-vehicles engaged in the retail distribution of petroleum products with substance identification numbers UN 1011, UN 1202, UN 1223, UN 1863 and UN 1978 are not required to be empty during carriage by road, provided adequate measures are taken to prevent any loss of contents.

Initial reference to the national legislation: *Regulation 82(8) of the 'Carriage of Dangerous Goods by Road Regulations, 2004'*.

Comments: Flexible hoses fitted to home delivery tank-vehicles must remain full at all times even during transport. The discharge system is known as a 'wet-line' system that requires the tank-vehicle's meter and hose to be primed so as to ensure the customer receives the correct quantity of product.

Expiry date: 30 June 2021

RO-bi-IE-7

Subject: Exemption from some requirements of 5.4.0, 5.4.1.1.1 and 7.5.11 of the ADR for the transport in bulk of Ammonium Nitrate Fertilizer UN 2067 from ports to consignees.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.0, 5.4.1.1.1 and 7.5.11.

Content of the Annex to the Directive: The requirement for a separate transport document, with the correct total quantity for the particular load included, for each transport journey; and the requirement for the vehicle to be cleaned before and after the journey.

Content of the national legislation: Proposed derogation to allow modifications to the requirements of the ADR on the transport document and vehicle cleaning; to take account of the practicalities of bulk transport from port to consignee.

Initial reference to the national legislation: *Proposed amendment to 'Carriage of Dangerous Goods by Road Regulations, 2004'*.

Comments: The provisions of the ADR require (a) a separate transport document, containing the total mass of dangerous goods carried for the particular load; and (b) the Special Provision 'CV24' on cleaning for each and every load being transported between the port and the consignee during the unloading of a bulk ship. As the transport is local and as it concerns the unloading of a bulk ship, involving multiple transport loads (on the same or consecutive days) of the same substance between the bulk ship and the consignee, a single transport document, with an approximate total mass of each load, should suffice and it should not be necessary to require the Special Provision 'CV24'.

Expiry date: 30 June 2021

RO-bi-IE-8

Subject: Transport of dangerous goods between private premises and another vehicle in the immediate vicinity of the premises, or between two parts of private premises situated in the immediate vicinity of each other but separated by a public road.

Reference to the Annex of the Directive: Annex I, Section 1.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Requirements for the carriage of dangerous goods by road.

Content of the national legislation: Disapplication of the regulations where a vehicle is being used to transfer dangerous goods

- (a) between private premises and another vehicle in the immediate vicinity of those premises; or
- (b) between two parts of private premises in the immediate vicinity of each other but which may be separated by a public road,

provided that the transport is carried out by means of the most direct route.

Initial reference to the national legislation: *European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 and 2013, Regulation 56.*

Comments: Various situations can occur where goods are transferred between two parts of private premises or between private premises and an associated vehicle which are separated by a public road. This form of transport does not constitute the carriage of dangerous goods in the usual sense, and thus the regulations pertaining to the carriage of dangerous goods do not need to be applied. See also RO-bi-SE-3 and RO-bi-DK-3.

Expiry date: 30 January 2025]